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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,813	10/12/2001	Jeffrey A. Miller	DM-6907-A	1068

23914 7590 04/25/2005
STEPHEN B. DAVIS
BRISTOL-MYERS SQUIBB COMPANY
PATENT DEPARTMENT
P O BOX 4000
PRINCETON, NJ 08543-4000

EXAMINER

FRONDA, CHRISTIAN L

ART UNIT PAPER NUMBER

1652

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO. /CONTROL NO. 09/975,813	FILING DATE 9/12/2001	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION Miller et al.	ATTORNEY DOCKET NO. DM6907A
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EXAMINER

ART UNIT

PAPER

1652

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 1(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821 through 1.825 for the reason(s) set forth on the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR §1.821(g). Extensions of time obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for beyond the six-month statutory period. Applicant is requested to return a copy of the attached Notice to comply with the response.

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(<<<http://www.uspto.gov/efc/efs/downloads/documents.htm>>>, EFS Submission User Manual - ePAVE)

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Arlington, Virginia 22202

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian L Fronda whose telephone number is (571)272 0929. The examiner can normally be reached Monday-Friday between 9:00AM - 5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura N Achutamurthy can be reached on (571)272 0928. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair.direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866 217 9197 (toll free).

Rebecca E. Prouty
REBECCA E. PROUTY
PRIMARY EXAMINER
GROUP 1800
60

Notice to Comply	Application No. 09/975,813	Applicant(s) Miller et al.	
	Examiner Christian L. Fronda	Art Unit 1652	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

For CRF Submission Help, call (571) 272-2501/2583.

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- ☒ **Attachments** Raw Sequence Listing Error Report 01/04/2005.

Art Unit: 1652

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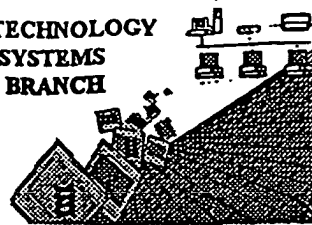
Applicants must provide a computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d). See attached "Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures".

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period.

Applicant is requested to return a copy of the attached "Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian L Fronda whose telephone number is (571)272-0929. The examiner can normally be reached Monday-Friday between 9:00AM - 5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura N Achutamurthy can be reached on (571)272-0928. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

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CLF



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number:

09/975,813

Source:

FWK

Date Processed by STIC:

1-4-05

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

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FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

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Revised 05/17/04



IFW16

RAW SEQUENCE LISTING

DATE: 01/04/2005

PATENT APPLICATION: US/09/975,813

TIME: 13:05:20

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Output Set: N:\CRF4\01042005\I975813.raw

3 <110> APPLICANT: Miller, Jeffrey A.

5 <120> TITLE OF INVENTION: ASSAYS AND PEPTIDE SUBSTRATE FOR DETERMINING AGGRECAN

DEGRADING

6 METALLO PROTEASE ACTIVITY

8 <130> FILE REFERENCE: DM6907A

10 <140> CURRENT APPLICATION NUMBER: 09/975,813

C--> 11 <141> CURRENT FILING DATE: 2001-10-12

13 <150> PRIOR APPLICATION NUMBER: 60/053,850

14 <151> PRIOR FILING DATE: 1997-07-25

16 <160> NUMBER OF SEQ ID NOS: 61

18 <170> SOFTWARE: PatentIn version 3.2

20 <210> SEQ ID NO: 1

21 <211> LENGTH: 40

22 <212> TYPE: PRT

23 <213> ORGANISM: Homo Sapiens

25 <400> SEQUENCE: 1

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28 1 5 10 15

31 Thr Glu Gly Glu Ala Arg Gly Ser Val Ile Leu Thr Val Lys Pro Ile

32 20 25 30

35 Phe Glu Val Ser Pro Ser Pro Leu

36 35 40

39 <210> SEQ ID NO: 2

40 <211> LENGTH: 41

41 <212> TYPE: PRT

42 <213> ORGANISM: Bovine

44 <400> SEQUENCE: 2

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47 1 5 10 15

50 Thr Glu Gly Glu Ala Arg Gly Ser Val Ile Leu Thr Ala Lys Pro Asp

51 20 25 30

54 Phe Glu Val Ser Pro Thr Ala Pro Glu

55 35 40

58 <210> SEQ ID NO: 3

59 <211> LENGTH: 40

60 <212> TYPE: PRT

61 <213> ORGANISM: Homo Sapiens

63 <400> SEQUENCE: 3

65 Ile Thr Phe Val Asp Thr Ser Leu Val Glu Val Thr Pro Thr Thr Phe

66 1 5 10 15

69 Lys Glu Glu Glu Gly Leu Gly Ser Val Glu Leu Ser Gly Leu Pro Ser

70 20 25 30

73 Gly Glu Leu Gly Val Ser Gly Thr

74 35 40

Does Not Comply
Corrected Diskette
(PS.2)

RAW SEQUENCE LISTING

DATE: 01/04/2005

PATENT APPLICATION: US/09/975,813

TIME: 13:05:20

Input Set : A:\DM6907.ST25.txt

Output Set: N:\CRF4\01042005\I975813.raw

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 79 <212> TYPE: PRT
 80 <213> ORGANISM: Artificial Sequence
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 83 <223> OTHER INFORMATION: Biotinylated lysine residue at position 41
 85 <400> SEQUENCE: 4

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 88 1 5 10 15
 91 Thr Glu Gly Glu Ala Arg Gly Ser Val Ile Leu Thr Val Lys Pro Ile
 92 20 25 30
 95 Phe Glu Val Ser Pro Ser Pro Leu Lys
 96 35 40

99 <210> SEQ ID NO: 5
 100 <211> LENGTH: 21
 101 <212> TYPE: PRT
 102 <213> ORGANISM: Artificial Sequence
 104 <220> FEATURE:
 105 <223> OTHER INFORMATION: Biotinylated lysine residue at position 21
 107 <400> SEQUENCE: 5

109 Ala Arg Gly Ser Val Ile Leu Thr Val Lys Pro Ile Phe Glu Val Ser
 110 1 5 10 15
 113 Pro Ser Pro Leu Lys
 114 20

117 <210> SEQ ID NO: 6
 118 <211> LENGTH: 21
 119 <212> TYPE: PRT
 120 <213> ORGANISM: Artificial Sequence
 122 <220> FEATURE:
 123 <223> OTHER INFORMATION: Biotinylated lysine residue at position 1
 125 <400> SEQUENCE: 6

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 128 1 5 10 15
 131 Ile Thr Glu Gly Glu
 132 20

135 <210> SEQ ID NO: 7
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 137 <212> TYPE: PRT
 138 <213> ORGANISM: Artificial Sequence
 140 <220> FEATURE:
 141 <223> OTHER INFORMATION: Biotinylated lysine residue at position 30
 143 <400> SEQUENCE: 7

145 Gln Thr Val Thr Trp Pro Asp Met Glu Leu Pro Leu Pro Arg Asn Ile
 146 1 5 10 15
 149 Thr Glu Gly Gln Ala Arg Gly Ser Val Ile Leu Thr Val Lys
 150 20 25 30

153 <210> SEQ ID NO: 8
 154 <211> LENGTH: 6
 155 <212> TYPE: PRT

The type of errors shown exist throughout the Sequence Listing. Please check subsequent sequences for similar errors.

RAW SEQUENCE LISTING

DATE: 01/04/2005

PATENT APPLICATION: US/09/975,813

TIME: 13:05:20

Input Set : A:\DM6907.ST25.txt

Output Set: N:\CRF4\01042005\I975813.raw

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165 <211> LENGTH: 8
166 <212> TYPE: PRT
167 <213> ORGANISM: Homo sapiens
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177 <212> TYPE: PRT
178 <213> ORGANISM: Bovine
180 <400> SEQUENCE: 10
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194 1 5
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211 <213> ORGANISM: Rat
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221 <212> TYPE: PRT
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231 <211> LENGTH: 8
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RAW SEQUENCE LISTING

DATE: 01/04/2005

PATENT APPLICATION: US/09/975,813

TIME: 13:05:20

Input Set : A:\DM6907.ST25.txt

Output Set: N:\CRF4\01042005\I975813.raw

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255 <213> ORGANISM: Pig
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266 <213> ORGANISM: Sheep
268 <400> SEQUENCE: 18
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RAW SEQUENCE LISTING

DATE: 01/04/2005

PATENT APPLICATION: US/09/975,813

TIME: 13:05:20

Input Set : A:\DM6907.ST25.txt

Output Set: N:\CRF4\01042005\I975813.raw

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320 <212> TYPE: PRT
321 <213> ORGANISM: Horse
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332 <213> ORGANISM: Homo Sapiens
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336 Ala Ser Thr Ala Ser Glu Leu Glu
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341 <211> LENGTH: 8
342 <212> TYPE: PRT
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353 <212> TYPE: PRT
354 <213> ORGANISM: Bovine
356 <400> SEQUENCE: 26
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364 <212> TYPE: PRT
365 <213> ORGANISM: Bovine
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375 <212> TYPE: PRT
376 <213> ORGANISM: Mouse
378 <400> SEQUENCE: 28
380 Ala Thr Thr Ser Ser Glu Leu Glu
381 1 5
384 <210> SEQ ID NO: 29
385 <211> LENGTH: 8
386 <212> TYPE: PRT

VERIFICATION SUMMARY

DATE: 01/04/2005

PATENT APPLICATION: US/09/975,813

TIME: 13:05:21

Input Set : A:\DM6907.ST25.txt

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L:11 M:271 C: Current Filing Date differs, Replaced Current Filing Date

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Arlington, VA 22202
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